

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

In re:	§	
	§	
VERBEEK, KENNEY	§	Case No. 14-40638 BTR
	§	
Debtor(s)	§	

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**TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter 7 of the United States Bankruptcy Code was filed on 03/24/2014 . The undersigned trustee was appointed on 03/25/2014 .

2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.

3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$ 11,736.97

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	0.00
Bank service fees	140.09
Other payments to creditors	0.00
Non-estate funds paid to 3 <sup>rd</sup> Parties	0.00
Exemptions paid to the debtor	0.00
Other payments to the debtor	0.00

Leaving a balance on hand of<sup>1</sup> \$ 11,596.88

The remaining funds are available for distribution.

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<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 10/06/2014 and the deadline for filing governmental claims was 01/05/2015 . All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ 1,923.70 . To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ 0.00 as interim compensation and now requests a sum of \$ 1,923.70 , for a total compensation of \$ 1,923.70 <sup>2</sup>. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ 0.00 , and now requests reimbursement for expenses of \$ 159.53 , for total expenses of \$ 159.53 <sup>2</sup>.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 07/14/2015 By: /s/Michelle H. Chow, Trustee  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 1  
**Exhibit A**

Case No: 14-40638 BTR Judge: BRENDA T. RHOADES  
Case Name: VERBEEK, KENNEY

Trustee Name: Michelle H. Chow, Trustee  
Date Filed (f) or Converted (c): 03/24/14 (f)  
341(a) Meeting Date: 04/25/14  
Claims Bar Date: 10/06/14

For Period Ending: 07/14/15

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. HOMESTEAD REAL PROPERTY 2515 Caddo Trail, Sanger, TX 76266 Debtor lists lien of \$240,000; exempts \$75,000.00 See reaffirmation agreement w/Regions Bank 08/18/14 #29 Debtor selects TEXAS PROPERTY CODE EXEMPTIONS NOTE: all asset items below refer to descriptions and amounts from ORIGINALLY filed schedules unless otherwise noted.	315,000.00	0.00		0.00	FA
2. CASH ON HAND: \$10.00 Not exempt - see asset #3; includes this \$10.00	10.00	0.00		0.00	FA
3. FINANCIAL ACCOUNTS Prosperity Bank (checking account): \$6,524.50 Prosperity Bank (savings account): \$201.09 plus the \$10.00 cash from asset #2 The bank balances on the filing date were not exempt under TPC. These funds turned over to the trustee and administered.	6,725.59	6,735.59		6,735.59	FA
4. COMBINED HOUSEHOLD GOODS Itemized household goods.	2,300.00	0.00		0.00	FA
5. CDS AND DVDS \$20.00	20.00	0.00		0.00	FA
6. WEARING APPAREL Clothing, Misc Personal Effects & Accessories: \$450.00	450.00	0.00		0.00	FA
7. JEWELRY: 1 WATCH \$100.00	100.00	0.00		0.00	FA
8. 1 RIFLE \$100.00	100.00	0.00		0.00	FA
9. INSURANCE POLICIES Term Life Insurance policy for wife (with ING) \$250,000 face value - no cash value	0.00	0.00		0.00	FA
10. RETIREMENT ACCOUNTS Roth IRA (with Prosperity Financial Service): \$21,747.95	21,474.95	0.00		0.00	FA

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Page: 2  
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Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
11. EDUCATIONAL PLANS FOR CHILDREN Lonestar 529 Plans for Children (with LPL Financial): 1) \$17,467.01 and 2) \$1,893.54	19,360.55	0.00		0.00	FA
12. STOCK INTERESTS Prosperity Financial common stock: \$5,001.24 The taxable investments were not exempt and administered.	5,001.24	5,000.00		5,001.38	FA
13. BUSINESS INTERESTS 33 1/3 % Ownership in businesses: 1. Color Star Growers of Colorado, Inc.(this business filed for Chapter 11 bankruptcy 12/15/2013) - no current value 2. Vast, Inc. (this business filed for Chapter 11 bankruptcy 12/15/2013) no current value 3. Color Star, LLC (this business filed for Chapter 11 bankruptcy 12/15/2013) no current value 4. B&K Trust - no current value 5. Vast Logistics - no current value	0.00	0.00		0.00	FA
14. NOTE RECEIVABLE Note receivable from Color Star Growers of Colorado, Inc - approx \$376,000.00 (will not be received due to company filing for bankruptcy)	0.00	0.00		0.00	FA
15. 2013 INCOME TAX REFUND (EXTENSION FILED) 2013 refund \$93.00. Trustee abandons.	0.00	0.00		0.00	FA
16. POTENTIAL COUNTER-CLAIM AGAINST REGIONS BANK Potential counter-claim against Regions Bank for fraud; however, debtor has no means to pursue.	0.00	0.00		0.00	FA
17. POTENTIAL CLAIM AGAINST B. ADVISORS,ET AL Potential claim against Barrier Advisors, EKSH, Brian Aquiar and Brett Verbeek for fraud - amount undertermined (debtor has no means to pursue).	0.00	0.00		0.00	FA
18. POTENTIAL CLAIM AGAINST MARKEL INSURANCE Potential claim against Markel Insurance for failure to provide defense	0.00	0.00		0.00	FA

**FORM 1**  
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Page: 3  
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Claims Bar Date: 10/06/14

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
(debtor has no means to pursue).					
19. PILOT'S LICENSE, CDL LICENSE, PESTICIDE LICENSE	1.00	0.00		0.00	FA
20. 2008 FORD F250 KING RANCH PICKUP 2008 Ford F250 King Ranch Pickup (100,000 miles): \$19,101.00 No lien listed; fully exempted	19,101.00	0.00		0.00	FA
21. 2004 HARLEY DAVIDSON MOTORCYCLE: 2004 Harley Davidson Motorcyle: \$7,500.00 No lien listed; fully exempted.	7,500.00	0.00		0.00	FA
22. RECREATIONAL BIKE 2007 Honda CRF 450 Dirt Bike: \$3,000.00 Not administered this dirt bike.	3,000.00	0.00		0.00	FA
23. MOTORCYCLE GEAR \$300.00	300.00	0.00		0.00	FA
24. PILOT GEAR \$150.00	150.00	0.00		0.00	FA
25. OFFICE FURNISHINGS: DESK SET \$500.00, 1 IPAD \$100.	600.00	0.00		0.00	FA
26. 2 DOGS, 1 CAT: \$30.00	30.00	0.00		0.00	FA
27. WIFE'S SEPARATE OR SOLE MANAGED COMMUNITY PROPERTY "Wife's separate or sole managed community property: . Home furnishings owned prior to marriage or inherited: Dressers and Dining Table, Painting, .22 Pistol, 2 Roth IRAs, Wedding Rings, clothing, Checking and savings account, Investment account, 2012 Acura MDX (balance owed approx \$19,310.23) (NOTE: Debtor entered into a pre-nuptial agreement prior to marriage.)"	0.00	0.00		0.00	FA

				Gross Value of Remaining Assets	
TOTALS (Excluding Unknown Values)	\$401,224.33	\$11,735.59		\$11,736.97	\$0.00
					(Total Dollar Amount in Column 6)

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
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Page: 4  
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Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

As of date TFR submitted to UST: 07/14/15: The main asset categories were the non-exempt financial accounts/stock assets due to the debtor's selection of Texas Property Code Exemptions. The debtor's individual bankruptcy case was largely due to the personal gaurantees associated with business debts (see Schedule F), and the bankruptcy filing for Colorstar Growers (see asset lines #13 and #14). Debtor turned over funds for bank balances and stock holding. Trustee reviewed claims and objection filed, order granted on 04/03/15.

Initial Projected Date of Final Report (TFR): 12/31/15      Current Projected Date of Final Report (TFR): 12/31/15

/s/ Michelle H. Chow, Trustee

Date: 07/14/15

MICHELLE H. CHOW, TRUSTEE

**FORM 2**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 1  
**Exhibit B**

Case No: 14-40638 -BTR  
Case Name: VERBEEK, KENNEY

Trustee Name: Michelle H. Chow, Trustee  
Bank Name: BANK OF KANSAS CITY  
Account Number / CD #: \*\*\*\*\*1245 Checking Account (Non-Interest Earn

Taxpayer ID No: \*\*\*\*\*6005  
For Period Ending: 07/14/15

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
06/04/14	3	Kenny Verbeek Prosperity Bank Cashiers Check	BALANCE FORWARD cash and bank balances	1129-000	6,735.59		0.00 6,735.59
06/30/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	6,725.59
07/22/14	12	Kenney Verbeek Prosperity Bank Cashiers Check	Stock cash in value	1129-000	5,001.38		11,726.97
07/31/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		11.56	11,715.41
08/29/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		17.41	11,698.00
09/30/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		16.82	11,681.18
10/31/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		17.36	11,663.82
11/28/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		16.77	11,647.05
12/31/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		17.31	11,629.74
01/30/15		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		17.28	11,612.46
02/27/15		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		15.58	11,596.88

COLUMN TOTALS	11,736.97	140.09	11,596.88
Less: Bank Transfers/CD's	0.00	0.00	
Subtotal	11,736.97	140.09	
Less: Payments to Debtors		0.00	
Net	11,736.97	140.09	

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Checking Account (Non-Interest Earn - *****1245	11,736.97	140.09	11,596.88
	-----	-----	-----
	11,736.97	140.09	11,596.88
	=====	=====	=====
	(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 11,736.97 140.09

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 2  
**Exhibit B**

Case No: 14-40638 -BTR  
Case Name: VERBEEK, KENNEY

Trustee Name: Michelle H. Chow, Trustee  
Bank Name: BANK OF KANSAS CITY  
Account Number / CD #: \*\*\*\*\*1245 Checking Account (Non-Interest Earn)

Taxpayer ID No: \*\*\*\*\*6005  
For Period Ending: 07/14/15

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)

Checking Account (Non-Interest Earn - \*\*\*\*\*1245

I certify that the above banking transactions are true and correct.

Trustee's Signature: /s/ Michelle H. Chow, Trustee Date: 07/14/15  
MICHELLE H. CHOW, TRUSTEE

Page Subtotals 0.00 0.00



EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Date: July 14, 2015

Case Number: 14-40638      Claim Number Sequence  
 Debtor Name: VERBEEK, KENNEY      Joint Debtor:  
 Claims Bar Date: 10/06/14

Code #	Creditor Name & Address	Claim Class	Notes	Scheduled	Claimed	Allowed
000001 070 7100-00	SONNY'S TEXAS POSIE'S COMPANY DBA ELLISON'S GREENHOUSES 2107 E. STONE ST. BRENHAM, TX 77866	Unsecured	Filed 05/01/14 Personal Gauranty of lease See page 19 of 22 for debtor signature	\$87,469.60	\$87,219.60	\$87,219.60
000002 070 7100-00	ELLISON'S BUSINESS PARTNERS, LTD C/O STEVEN C. HALEY 207 E. MAIN ST./P.O. BOX 1808 BRENHAM, TEXAS 77834-1808	Unsecured	Filed 05/14/14 (2-1) UNPAID 2013 AD VALOREM TAXES DUE UNDER COMMERCIAL LEASE AND COMMERCIAL LEASE GUARANTY Personal Gauranty for business See page 24 of 27 for Gauranty signature by debtor	\$5,497.00	\$5,247.96	\$5,247.96
000003 040 5800-00	INTERNAL REVENUE SERVICE CENTRALIZED INSOLVENCY OPERATIONS PO BOX 7346 PHILADELPHIA, PA 19114-7346	Priority	Filed 07/29/14 Claim was for unassessed 2013 taxes Debtor provided 2013 tax return to trustee Order 04/01/15 #37 Objection in entirety	\$0.00	\$31,773.60	\$0.00
000004 070 7100-00	REGIONS BANK C/O KANE RUSSELL COLEMAN & LOGAN PC ATTN: JASON B. BINFORD 1601 ELM STREET, SUITE 3700 DALLAS, TEXAS 75201	Unsecured	Filed 10/03/14 "Gauranty obligation plus unliquidated tort liabilty"	\$35,000,000.00	\$28,186,989.43	\$28,186,989.43
Case Totals:				\$35,092,966.60	\$28,311,230.59	\$28,279,456.99

Code #: Trustee's Claim Number, Priority Code, Claim Type

## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 14-40638 BTR

Case Name: VERBEEK, KENNEY

Trustee Name: Michelle H. Chow, Trustee

Balance on hand \$ 11,596.88

Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: Michelle H. Chow, Trustee	\$ 1,923.70	\$ 0.00	\$ 1,923.70
Trustee Expenses: Michelle H. Chow, Trustee	\$ 159.53	\$ 0.00	\$ 159.53

Total to be paid for chapter 7 administrative expenses \$ 2,083.23

Remaining Balance \$ 9,513.65

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ 0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

NONE

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 28,279,456.99 have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000001	SONNY'S TEXAS POSIE'S COMPANY	\$ 87,219.60	\$ 0.00	\$ 29.34
000002	ELLISON'S BUSINESS PARTNERS, LTD	\$ 5,247.96	\$ 0.00	\$ 1.77
000004	REGIONS BANK	\$ 28,186,989.43	\$ 0.00	\$ 9,482.54

Total to be paid to timely general unsecured creditors \$ 9,513.65

Remaining Balance \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE